

85th Legislative Session – 2010

Committee: House Health and Human Services

Tuesday, February 16, 2010

P - Present
E - Excused
A - Absent

Roll Call

P Blake
P Boomgarden
P Conzet
P Curd
E Iron Cloud III
P Jensen
P Lucas
P Moser
P Nygaard
P Romkema
P Vanderlinde
P Rave, Vice-Chair
P Pitts, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Pitts.

MOTION: TO APPROVE THE MINUTES OF THURSDAY, FEBRUARY 11, 2010

Moved by: Lucas
Second by: Vanderlinde
Action: Prevailed by voice vote.

Refer to previous minutes for testimony on February 11, 2010.

HB 1230: permit certain persons to assist women during pregnancy and childbirth under certain conditions.

MOTION: DO PASS HB 1230

Moved by: Nygaard
Second by: Jensen
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DEFER HB 1230 TO THE 41ST LEGISLATIVE DAY

Moved by: Lucas
Second by: Vanderlinde
Action: Prevailed by roll call vote. (10-2-1-0)

Voting Yes: Blake, Boomgarden, Conzet, Curd, Lucas, Moser, Romkema, Vanderlinde, Rave, Pitts

Voting No: Jensen, Nygaard

Excused: Iron Cloud III

HB 1223: provide procedures by which adopted persons may obtain their original birth certificates and the contact preference of birth parents.

Presented by: Representative Jim Bolin
Proponents: Lynne Banks, Self, Sioux Falls (Handout: 1)
Kaye LaFollette, Self, Sioux Falls
Opponents: Rita Houghlum, Eagle Forum

MOTION: AMEND HB 1223

1223ja

On page 2, line 2, of the printed bill, delete ". The adopted person shall file" and insert "by filing".

On page 2, line 2, delete "provide" and insert "providing".

On page 2, line 6, after "34-25-52." insert "The Department of Health may promulgate rules, pursuant to chapter 1-26, for the administration of this section.".

On page 2, delete lines 7 to 23, inclusive.

Moved by: Rave
Second by: Lucas
Action: Prevailed by voice vote.

MOTION: DO PASS HB 1223 AS AMENDED

Moved by: Nygaard
Second by: Lucas
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION AMEND HB 1223

1223jb

On the previously adopted amendment (1223ja), before "The Department" insert "If a parent has indicated a no contact preference no original birth certificate may be obtained.".

Moved by: Moser
Second by: Rave
Action: Prevailed by roll call vote. (7-5-1-0)

Voting Yes: Boomgarden, Conzet, Curd, Jensen, Moser, Vanderlinde, Rave

Voting No: Blake, Lucas, Nygaard, Romkema, Pitts

Excused: Iron Cloud III

MOTION: DO PASS HB 1223 AS AMENDED

Moved by: Moser
Second by: Conzet
Action: Prevailed by roll call vote. (10-2-1-0)

Voting Yes: Blake, Conzet, Curd, Jensen, Lucas, Moser, Nygaard, Romkema, Vanderlinde, Rave

Voting No: Boomgarden, Pitts

Excused: Iron Cloud III

HB 1253: refer to a vote of the people a bill to authorize smoking in certain establishments under certain conditions.

Presented by: Representative Jim Bolin

Proponents: Sherry LaFleur, Self, North Sioux City

Craig Youngstrom, Self, Mitchell

Joan Christiansen, Self, North Sioux City

Opponents: Jennifer Stalley, American Cancer Society

Dave Hewett, SD Association of Healthcare Organizations

Mary Carpenter, SD State Medical Assn

Brittany Novotny, SD Nurses Association

Representative Bob Faehn

Craig Boris, Voice for Children

MOTION: DEFER HB 1253 TO THE 41ST LEGISLATIVE DAY

Moved by: Moser

Second by: Rave

Action: Prevailed by roll call vote. (11-0-2-0)

Voting Yes: Blake, Boomgarden, Conzet, Curd, Jensen, Moser, Nygaard, Romkema, Vanderlinde, Rave, Pitts

Excused: Iron Cloud III, Lucas

HB 1275: extend the age limit for cochlear implants.

Presented by: Representative H. Paul Dennert

Proponents: Nikki Darland, Communication Services for the Deaf. (Handout: 3)

Dan Lusk, Department of Human Services

MOTION: AMEND HB 1275

1275ub

On page 1, after line 13 of the printed bill, insert:

"

Section 2. That chapter 49-31 be amended by adding thereto a NEW SECTION to read as follows:

The funds continuously appropriated in § 49-31-50 may be used to provide a child less than

twenty-one years of age with hearing aids as defined in § 36-24-1.1 that are prescribed, fitted, and dispensed by a licensed audiologist.

Section 3. That § 49-31-50.2 be amended to read as follows:

49-31-50.2. The Department of Human Services shall promulgate rules pursuant to chapter 1-26 to establish standards for eligibility criteria, the basis for and extent of provider payments on behalf of the eligible person, levels of payment, administration, audit requirements, and record keeping of providing cochlear implants and hearing aids."

Moved by: Nygaard
Second by: Vanderlinde
Action: Failed by voice vote.

MOTION: DO PASS HB 1275

Moved by: Rave
Second by: Jensen
Action: Prevailed by roll call vote. (12-0-1-0)

Voting Yes: Blake, Boomgarden, Conzet, Curd, Jensen, Lucas, Moser, Nygaard, Romkema, Vanderlinde, Rave, Pitts

Excused: Iron Cloud III

HB 1144: revise the Human Relations Act to include additional categories of persons.

Presented by: Representative Deb Peters (Handout: 4)
Proponents: Dr. Judy Henderson, Self
Don Frankenfeld, Equality SD, Rapid City
Sam Wilson, AARP, Sioux Falls (Handout: 5)
Rev Brook McBride, Self, Vermillion
Susan Thompson, SD Peace and Justice Center
Gary Snow, Self, Pierre
Mitch Richter, Equality South Dakota
Opponents: Cindy Flakoll, Concerned Women For America
Chris Hupke, SD Family Policy Council
Nathan Lucas, Department of Labor
Travis Benson, Catholic Diocese Of Sioux Falls
Representative Roger Hunt

MOTION: DO PASS HB 1144

Moved by: Nygaard
Second by: Blake
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION TO TABLE HB 1144

Moved by: Boomgarden
Second by: Jensen
Action: Prevailed by roll call vote. (8-4-1-0)

Voting Yes: Boomgarden, Conzet, Curd, Jensen, Moser, Romkema, Rave, Pitts

Voting No: Blake, Lucas, Nygaard, Vanderlinde

Excused: Iron Cloud III

MOTION: ADJOURN

Moved by: Curd
Second by: Rave
Action: Prevailed by voice vote.

Joshua Klumb
Committee Secretary

Carol A. Pitts, Chair